

KEIDEL, WELDON & CUNNINGHAM, LLP

ATTORNEYS AT LAW

925 Westchester Avenue, Suite 400
White Plains, New York 10604

Telephone: (914) 948-7000
Telefax: (914) 948-7010 (Not for Service)
<http://www.kwccllp.com>

November 5, 2012

Via Facsimile: 212-805-4268

The Honorable Gabriel W. Gorenstein
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/7/12

Re: Brian Burke v. Cullen & Troia, P.C. and Kenmore Associates, L.P.
Case No. 12 CIV 4280
Our File: 10895

Dear Judge Gorenstein:

We represent Defendant Cullen & Troia, P.C. in the above matter. We are in receipt of the order scheduling a settlement conference for November 30, 2012 at 10 a.m. in the above matter. Unfortunately, the insurance adjuster handling this case for us is not available on November 30, 2012, and counsel for Defendant Kenmore Associates, L.P. advised that he is not available until the afternoon of that date. Pursuant to your rules, we called your clerk, Andrew, and consulted with all parties related to a new date and time. It appears that the Court and all parties are available for the settlement conference on **December 12, 2012 at 2:30 p.m.** and all parties have agreed to this scheduling. Accordingly, we respectfully request that the Court reschedule the conference for **December 12, 2012 at 2:30 p.m.**

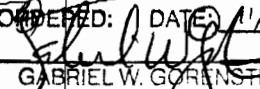
Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact us.

Very truly yours,


Robert J. Grande, Esq.

RJG

cc: Jeanne Lahiff, Esq. (Via facsimile 866-577-0963)
Wayne L. Desimone, Esq. (Via Facsimile 516-708-9522 and Email)

Grande letters due at 10am on 12/7/2012
SO ORDERED: DATE: 11/15/2012

GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE

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